

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JAN 08 2008

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

RAFAEL CALDERON QUINTERO,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 06-70670

Agency No. A77-381-787

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted December 20, 2007**

Before: GOODWIN, WALLACE, and HAWKINS, Circuit Judges.

Rafael Calderon Quintero seeks review of the Board of Immigration Appeals' ("BIA") order denying his motion to reconsider. We review for abuse of

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

discretion. *See Oh v. Gonzales*, 406 F.3d 611, 612 (9th Cir. 2005). We deny the petition for review.

The BIA acted within its discretion in denying Calderon Quintero's motion to reconsider because the motion failed to identify any error of fact or law in the BIA's prior decision affirming the immigration judge's order denying cancellation of removal for failure to show exceptional and extremely unusual hardship to a qualifying relative. *See* 8 C.F.R. § 1003.2(b)(1); *Socop-Gonzalez v. INS*, 272 F.3d 1176, 1180 n.2 (9th Cir. 2001) (en banc).

PETITION FOR REVIEW DENIED.
